

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TUFENKIAN IMPORT/EXPORT VENTURES, INC.

Plaintiff,

08 CIV 4953(SAS)

-against-

TRUETT FINE CARPETS & RUGS AND  
DAVID TRUETT,

Defendants.  
-----X

**DECLARATION OF ANTHONY XANTHAKIS  
IN SUPPORT OF MOTION TO DISMISS**

Anthony Xanthakis hereby declares the following under penalty of perjury:

1. I am a member of Galvano & Xanthakis, PC , attorneys for the defendants and as such I am fully familiar with the facts and circumstances of this case.

2. I submit this declaration in support of defendants' motion to dismiss the summons and complaint for failure of this court to acquire personal jurisdiction over the defendants.

3. Attached to this declaration as Exhibit A, are three invoices evidencing sale of the three rugs to the Hilton Dallas Lincoln Center Hotel dated 4/19/2004.

4. Attached to this declaration as Exhibit B is the letter from plaintiff to defendant, dated April 25, 2006 terminating their relationship.

Dated: New York, NY  
July 21, 2008

  
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Anthony Xanthakis, Esq. (2254)

**Exhibit A**

**To Xanthakis Declaration**

**Truett Fine Carpets and Rugs**

A Division of David Truett Enterprises  
 1444 Oak Lawn Avenue  
 Suite 220  
 Dallas, TX 75207

**Invoice**

Date	Invoice #
4/19/2004	2517

<b>Bill To</b>
HILTON SUPPLY MANAGEMENT ATTN: EDWINA BURTT 9336 CIVIC CENTER DRIVE BEVERLY HILLS, CA 90210

<b>Ship To</b>
DALLAS, TX

P.O. No.	Terms	Project
16448	50% DEPOSIT	2517

Qty	Item	Description	Rate	Amount
	HAND TUFTED	HAND TUFTED RUG- CUSTOM AREA RUG @ LOBBY (C100) APPROX. SIZE 21'9" X 46'	26,768.00	26,768.00
	SLAB PAD	SLAB PAD FOR AREA RUG @ LOBBY (CP-100)	751.00	751.00
	PREPAYMENT	CUSTOMER DEPOSIT APPLIED TO INVOICE  RUG EXPECTED TO ARRIVE IN DALLAS FIRST WEEK OF APRIL  TERMS: 50% DEPOSIT, BALANCE NET 30	-13,384.00	-13,384.00

<b>Subtotal</b>		\$14,135.00
<b>Sales Tax (0.00)</b>		\$0.00
<b>Total</b>		\$14,135.00
<b>Payments/Credits</b>		\$-14,135.00
<b>Balance Due</b>		\$0.00

**Truett Fine Carpets and Rugs**

A Division of David Truett Enterprises  
 1444 Oak Lawn Avenue  
 Suite 220  
 Dallas, TX 75207

**Invoice**

Date	Invoice #
4/19/2004	2546

**PAID**

<b>Bill To</b>
HILTON SUPPLY MANAGEMENT ATTN: A/P EDWINA BURTT 9336 CIVIC CENTER DRIVE BEVERLY HILLS, CA 90210

<b>Ship To</b>
DALLAS, TX

P.O. No.	Terms	Project
16448	50% DEPOSIT	2546

Qty	Item	Description	Rate	Amount
	HAND TUFTED	HAND TUFTED RUG- CUSTOM AREA RUG @ ENTRY (C102) SIZE- 14' X 31'	12,152.00	12,152.00
	SLAB PAD	SLAB PAD FOR AREA RUG@ ENTRY (C102)	372.50	372.50
	PREPAYMENT	CUSTOMER DEPOSIT APPLIED TO INVOICE	-6,076.00	-6,076.00
		RUG EXPECTED IN DALLAS FIRST WEEK OF APRIL		
		TERMS: 50% DEPOSIT, BALANCE NET 30		

<b>Subtotal</b>		\$6,448.50
<b>Sales Tax (0.00)</b>		\$0.00
<b>Total</b>		\$6,448.50
<b>Payments/Credits</b>		\$-6,448.50
<b>Balance Due</b>		\$0.00

**Truett Fine Carpets and Rugs**

A Division of David Truett Enterprises  
 1444 Oak Lawn Avenue  
 Suite 220  
 Dallas, TX 75207

**Invoice**

Date	Invoice #
4/19/2004	2545

Bill To	Ship To
HILTON SUPPLY MANAGEMENT ATTN: A/P EDWINA BURTT 9336 CIVIC CENTER DRIVE BEVERLY HILLS, CA 90210	DALLAS, TX

P.O. No.	Terms	Project
16448	50% DEPOSIT	2545

Qty	Item	Description	Rate	Amount
	HAND TUFTED	HAND TUFTED RUG- CUSTOM AREA RUG @ LOBBY (C101) APPROX. SIZE 24' X 60'6"	37,744.00	37,744.00
	SLAB PAD	SLAB PAD FOR AREA RUG @ LOBBY (CP101)	1,372.50	1,372.50
	PREPAYMENT	CUSTOMER DEPOSIT APPLIED TO INVOICE  RUG EXPECTED IN DALLAS FIRST WEEK IN APRIL  TERMS: 50% DEPOSIT, BALANCE NET 30	-18,872.00	-18,872.00

**Subtotal** \$20,244.50

**Sales Tax (0.00)** \$0.00

**Total** \$20,244.50

**Payments/Credits** \$-20,244.50

**Balance Due** \$0.00

**Exhibit B**

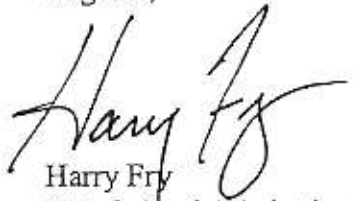
**To Xanthakis Declaration**



200 E. BROAD STREET, SECOND FLOOR, NEW YORK, NY 10002

We appreciate your past business and wish you the best in your future endeavors.

Regards,



Harry Fry  
V.P. Sales & Marketing

Cc: Ron Elliott, Regional Director of Sales  
Deirdre Mangine, Regional Sales Manager  
Eric Jacobson, Chief Financial Officer  
Richard Femicola, Director of Operations  
Marisa Mesropian, Director of Customer Relations  
Raven Hicks, Credit Collection Manager